

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

THE STATE OF MISSOURI, )  
ex rel. ANDREW T. BAILEY, in his official )  
capacity as Missouri Attorney General, )  
Plaintiff, )  
v. ) Case No. 1:20-cv-00099-SNLJ  
THE PEOPLE'S REPUBLIC OF CHINA, )  
THE COMMUNIST PARTY OF CHINA, )  
NATIONAL HEALTH COMMISSION )  
OF THE PEOPLE'S REPUBLIC OF )  
CHINA, MINISTRY OF EMERGENCY )  
MANAGEMENT OF THE PEOPLE'S )  
REPUBLIC OF CHINA, MINISTRY OF )  
CIVIL AFFAIRS OF THE PEOPLE'S )  
REPUBLIC OF CHINA, PEOPLE'S )  
GOVERNMENT OF HUBEI )  
PROVINCE, PEOPLE'S GOVERNMENT )  
OF WUHAN CITY, WUHAN INSTITUTE )  
OF VIROLOGY, and CHINESE )  
ACADEMY OF SCIENCES, )  
Defendants. )

**PLAINTIFF'S MOTION FOR AN EXTENSION OF TIME TO SUBMIT PRETRIAL  
BRIEF**

Plaintiff the State of Missouri, ex rel. Andrew Bailey, in his official capacity as Missouri Attorney General (“Plaintiff”) hereby respectfully moves for a two-week extension of time on this Court’s deadline to submit Plaintiff’s pretrial brief, list of witnesses, excerpts for any witness testifying by deposition, and any written evidence in the FSIA default hearing in this case. In support of his motion, Plaintiff states as follows:

1. On May 23, 2024, this Court entered a scheduling order in this case. ECF 76.

Pursuant to the scheduling order, trial is set for two days beginning on December 9, 2024.

2. Also pursuant to the scheduling order, Missouri must, among other things, file a pre-trial brief 30 days before trial, file a list of witnesses it intends to call at trial 30 days before the start of trial, submit excerpts for any witnesses testifying by deposition 30 days before the start of trial, and file any written forms of evidence (other than exhibits to be presented during live testimony) 30 days before the start of trial. ECF 76 at 2. With trial starting on December 9, 2024, the deadline for each of these events is currently November 8, 2024.

3. Missouri respectfully requests a brief, 14-day extension on the deadline to each of the above-listed deadlines, extending the deadline of each until November 22, 2024.

4. A two-week extension of the deadline is reasonable in light of the facts of this case and the requirements imposed on undersigned counsel by other active cases. Plaintiff's case against Defendants has involved reviewing and synthesizing hundreds of pages of potentially relevant material produced over the course of multiple years. Defendants include a foreign state and its alter-ego, which have used their political and coercive powers to engage in a number of unlawful activities that have directly harmed the State of Missouri. Additionally, an extension is necessary due to a number of pressing deadlines in other active cases in which undersigned counsel is the lead attorney. In addition to a number of supervisory and internal responsibilities, undersigned counsel has immediate past or forthcoming briefing deadlines or oral arguments in a number of state and federal cases, including *Missouri v. EPA*, Case No. 23-1719 (8th Cir.) (oral argument on 10/22/24), *General Land Office v. Kinder*, Case No. 24-40447 (5th Cir.) (appellate response brief currently due 11/6/24), and *Missouri Highways and Transportation Commission v. Zellers*, Case No. WD86843 (Missouri Appellate Court) (oral argument set for 11/7/24). Finally, an extension is further reasonable because Plaintiff is still waiting on responses by the federal

government to outstanding Freedom of Information Act requests submitted to different federal agencies months ago.

5. No party will be prejudiced by the Court granting this extension, and this extension will not affect the efficient resolution of this case. As no party besides Plaintiff has appeared and litigated this case, no party will suffer prejudice. Additionally, extending the deadline for filing the pretrial brief (and other above-referenced deadlines) to November 22, 2024 will still cause the pretrial brief and other supporting materials to be filed over two weeks before the start of the uncontested bench trial. Plaintiff's request will not impact or delay the Court's trial date.

6. As each Defendant has been adequately served but failed to appear, each Defendant is in default. Therefore, no Defendant not in default, or who has otherwise entered in this case, opposes this request for an extension of time.

For the foregoing reasons, Plaintiff respectfully requests that this Court extend Plaintiff's deadline to file a pre-trial brief, to file a list of witnesses Plaintiff intends to call at trial, to submit excerpts for any witnesses testifying by deposition, and to file any written forms of evidence until November 22, 2024.

Date: October 29, 2024

Respectfully submitted,

ANDREW T. BAILEY  
Attorney General

*/s/ Samuel C. Freedlund*  
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*Attorneys for Petitioner.*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 29, 2024, a true and accurate copy of the foregoing was electronically filed by using the Court's CM/ECF system to be served on all counsel of record entered in the case.

/s/ Samuel C. Freedlund